

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
*(Briefly describe the property to be searched  
 or identify the person by name and address)*  
 The SUBJECT PARCEL bearing confirmation no.  
 EJ 849 451 002 US, more fully described in  
 Attachment A

Case No. MJ21-374

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment A, incorporated herein by reference.

located in the \_\_\_\_\_ Western \_\_\_\_\_ District of \_\_\_\_\_ Washington \_\_\_\_\_, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841	Distribution of Controlled Substances & Unlawful Use of Communication Facility,
21 U.S.C. § 843	(U.S. Mails) to Distribute Controlled Substances.

The application is based on these facts:

- ☒ See Affidavit of Postal Inspector Michael S. Fischlin, continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.



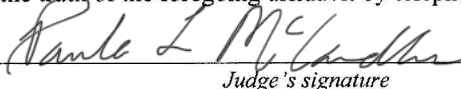
*Applicant's signature*

Michael S. Fischlin, U.S. Postal Inspector

*Printed name and title*

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or  
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 06/25/2021



*Judge's signature*

City and state: Seattle, Washington

Paula L. McCandlis, United States Magistrate Judge

*Printed name and title*

1 STATE OF WASHINGTON       )  
 2                                       )       ss  
 3 COUNTY OF KING               )

4                                       **AFFIDAVIT**

5           I, Michael S. Fischlin, being first duly sworn on oath, depose and say:

6                                       **AFFIANT BACKGROUND**

7           1.       I am a United States Postal Inspector, assigned to investigate the unlawful  
 8 transportation of contraband, including Title 21 controlled substances, through the United  
 9 States Mail. I have been employed as a Postal Inspector since June 2016 and am currently  
 10 assigned to Seattle Division Headquarters, located in Seattle, Washington. As part of my  
 11 duties, I investigate the use of the United States Postal Service (“USPS”) to illegally mail  
 12 and receive controlled substances, the proceeds of drug trafficking, and instrumentalities  
 13 associated with drug trafficking, in violation of Title 21, United States Code, Sections  
 14 841(a)(1) (distribution and possession with intent to distribute controlled substances) and  
 15 843(b) (unlawful use of a communication facility, including USPS, to facilitate the  
 16 distribution of controlled substances). I have attended a one-week training course  
 17 presented by the USPIS where I received specialized training in the investigation of  
 18 controlled substances in the United States mail. I have received training on the  
 19 identification of controlled substances, interdiction of controlled substances and proceeds  
 20 thereof. I have also become familiar with methods used by individuals to hide, convert, or  
 21 otherwise conceal illicit narcotics proceeds, and the efforts of persons engaged in  
 22 transportation and laundering of illicit proceeds to avoid detection, apprehension, and  
 23 seizure by law enforcement.

24          2.       The information contained in this affidavit is based upon knowledge I  
 25 gained from my investigation, my personal observations, my training and experience, and  
 26 investigation by other inspectors, agents, and officers. Because the purpose of this  
 27 affidavit is limited to setting forth probable cause to search the parcels identified below, I  
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1 have not set forth every fact of which I am aware pertaining to the investigation. Rather, I  
2 have included only those facts relevant to the determination of probable cause.

3 3. Through my training and experience, I am aware that USPS is often used to  
4 transport controlled substances and/or the proceeds from the sales of controlled  
5 substances throughout the United States. I have learned and observed that sometimes  
6 drug traffickers mail controlled substances and proceeds in the same parcel. I am also  
7 aware that proceeds from the sales of controlled substances are transported in the form of  
8 cash, money orders and other monetary instruments. I am aware that cash, as well as  
9 money orders purchased with cash, are desirable forms of payment for drug traffickers,  
10 given that they are difficult for law enforcement to track.

11 4. I also know that drug traffickers prefer delivery services such as USPS  
12 Express and Priority Mail because of the reliability of these services and the ability to  
13 track the article's progress to the intended delivery point. When a drug trafficker learns  
14 that a mailed article has not arrived as scheduled, he/she becomes suspicious of any  
15 delayed attempt to deliver the item.

16 5. In addition, I am aware that the USPS Express and Priority Mail services  
17 were custom-designed to fit the needs of businesses by providing overnight delivery for  
18 time-sensitive materials. Business mailings often contain typewritten labels, are in flat  
19 cardboard mailers, and usually weigh less than eight (8) ounces. Businesses often use  
20 corporate charge accounts and/or print their account number on the Express and Priority  
21 Mail label to expedite transactions with USPS.

22 6. Based on my training and experience concerning the use of Express and  
23 Priority Mail for the transportation of controlled substances and/or the proceeds from the  
24 sales of controlled substances, I am aware that these parcels usually contain some or all  
25 of the following characteristics (which are different than characteristics of parcels being  
26 sent by legitimate businesses):

27 a. Unlike typical Express and Priority Mail business mailings which  
28 usually have typed labels, parcels containing controlled substances and/or proceeds often

1 have handwritten address information. In addition, the address information often contains  
2 misspelled words or incomplete/incorrect addresses. This is done in to help conceal the  
3 true identities of the individuals involved.

4           b.     The handwritten label on Express and Priority Mail parcels  
5 containing controlled substances and/or proceeds often does not contain a business  
6 account number and/or credit card number. This is an indication that the sender likely  
7 paid cash. It is easier for law enforcement officers to connect a parcel to identifiable  
8 individuals when a credit card or business account number is used.

9           c.     Express and Priority Mail parcels containing controlled substances  
10 and/or proceeds often stand out from typical business mailings as they do not bear any  
11 advertising on the mailing container/box and are usually being mailed from one  
12 individual to another.

13           d.     The sender and/or recipient addresses on Express and Priority Mail  
14 parcels containing controlled substances and/or proceeds often are either fictitious or  
15 persons not known to postal personnel familiar with the addresses listed.

16           e.     The zip codes for the sender addresses on Express and Priority Mail  
17 parcels containing controlled substances and/or proceeds often are different from the zip  
18 codes of the post offices from where the parcels were mailed.

19           f.     Express and Priority Mail parcels containing controlled substances  
20 and/or proceeds are often heavily taped on their seams to conceal their scent.

21           g.     Express and Priority Mail parcels containing controlled substances  
22 and/or proceeds often include a waiver of signature.

23           7.     Inspectors who encounter a parcel with any or all the above characteristics  
24 often further scrutinize the parcel by, among other tactics, conducting address  
25 verifications and using a trained narcotic-detecting canine.

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**ITEMS TO BE SEARCHED**

8. As set forth in Attachment A, this affidavit is made in support of an application for a search warrant for one USPS Express Mail parcel (the "SUBJECT PARCEL"). The parcel is believed to contain controlled substances or proceeds from the sale of controlled substances. The SUBJECT PARCEL is further described as follows:

**SUBJECT PARCEL:** One Express Mail parcel addressed to "T. Tran, 5408 NE 3<sup>rd</sup> Place, Renton, WA 98059" with a return address of "Kong's Body Shop, 2212 Cheshire Br Rd, Atl, GA 30324." This parcel measures approximately 11.75" x 8.75" x 5.75" with a weight of approximately 3 pounds, 11 ounces. The SUBJECT PARCEL is postmarked June 22, 2021, from zip code 30345 in Atlanta, GA, and carries \$67.65 in postage. The delivery confirmation number is EJ 849 451 002 US.

The SUBJECT PARCEL is currently in the custody of the USPIS located at 10700 27<sup>th</sup> Ave S., Seattle, Washington.

**ITEMS TO BE SEIZED**

9. The application requests that law enforcement officers and agents be authorized to seize the following from the SUBJECT PARCEL, which constitute the fruits, instrumentalities, and evidence of mailing and distribution of controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances):

a. Controlled substances, including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;

b. Monetary instruments, including but not limited to, currency, money orders, bank checks, and gift cards;

c. Controlled substance-related paraphernalia;

- 1           d.     Documentary evidence relating to the purchase, sale, and/or  
2 distribution of controlled substances;
- 3           e.     Notes, letters and other items which communicate information  
4 identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- 5           f.     Fingerprints and/or handwriting, to identify who handled and/or  
6 mailed the parcel.

### 7                                   **THE INVESTIGATION**

8           10.    On June 23, 2021, U.S. Postal Inspectors were performing an Express Mail  
9 interdiction at the USPS mail facility located at the Seattle Processing and Distribution  
10 Center, 10700 27<sup>th</sup> Ave S., Seattle, Washington. The interdiction was targeting inbound  
11 Express parcels suspected of containing controlled substances and/or proceeds from the  
12 distribution of controlled substances.

13           11.    During the interdiction, the SUBJECT PARCEL was identified for further  
14 inspection. Based on my training and experience, the SUBJECT PARCEL exhibits many  
15 of the characteristics of parcels containing controlled substances and/or proceeds from  
16 the distribution of controlled substances. Specifically, the SUBJECT PARCEL bears a  
17 handwritten label that waives any signature requirement, lacks a phone number for either  
18 the sender or recipient, originates in a different zip code than what the sender wrote on  
19 the return address, and postage was paid in cash. I know through my training and  
20 experience that these are tactics commonly used by drug traffickers using the U.S. mails  
21 to elude detection by law enforcement.


22           12.    Furthermore, the SUBJECT PARCEL was shipped from Atlanta, Georgia  
23 to Renton, Washington. I know through my training and experience that Georgia is a  
24 destination state for marijuana parcels shipped from the source state of Washington, and  
25 that Washington drug distributors often collect payment for marijuana sales through  
26 Express and/or Priority Mail parcels shipped to Washington.

27           13.    On June 23, 2021, the SUBJECT PARCEL was removed from the mail  
28 stream in Seattle, Washington for further investigation.





1 documents, or other evidence, more fully identified in Attachment B, related to the  
2 mailing and distribution of controlled substances, in violation of Title 21, United States  
3 Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled  
4 substances) and 843(b) (unlawful use of a communication facility, including the U.S.  
5 mails, to facilitate the distribution of controlled substances).

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9 MICHAEL S. FISCHLIN  
10 United States Postal Inspector

11 The above-named agent provided a sworn statement attesting to the truth of the  
12 contents of the foregoing affidavit on this 25th day of June 2021.

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15 PAULA L. McCANDLIS  
16 United States Magistrate Judge  
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**ATTACHMENT A**  
Parcel to be searched

**SUBJECT PARCEL:** One Express Mail parcel addressed to “T. Tran, 5408 NE 3<sup>rd</sup> Place, Renton, WA 98059” with a return address of “Kong’s Body Shop, 2212 Cheshire Br Rd, Atl, GA 30324.” This parcel measures approximately 11.75” x 8.75” x 5.75” with a weight of approximately 3 pounds, 11 ounces. The SUBJECT PARCEL is postmarked June 22, 2021, from zip code 30345 in Atlanta, GA, and carries \$67.65 in postage. The delivery confirmation number is EJ 849 451 002 US.

The SUBJECT PARCEL is currently in the custody of the USPIS located at 10700 27<sup>th</sup> Ave S., Seattle, Washington.

**ATTACHMENT B**

## Items to be seized

The following items that constitute evidence, instrumentalities, or fruits of violations of 21 USC § 841(a)(1), distribution and possession with intent to distribute controlled substances, and 21 USC § 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

a. Controlled substances including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;

b. Monetary instruments including, but not limited to, currency, money orders, bank checks, and gift cards;

c. Controlled substance-related paraphernalia;

d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;

e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and

f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.



**U.S. Customs and Border Protection  
Department of Homeland Security**

**Canine Enforcement Office**  
19339 28<sup>th</sup> Ave. S. Bldg. D  
Sea-Tac, WA 98188

## **AFFIDAVIT**

I, Adam J. Chavez, am a Canine Officer with U.S. Customs and Border Protection, assigned to the Seattle-Tacoma area. My assigned canine, "Dean" #160072 was initially certified with me at the Customs and Border Protection's Canine Center El Paso, TX on September 19, 2017. Canine "Dean" is certified in the detection of concealed humans and the odors of Cocaine and their derivatives, Marijuana and their derivatives, Heroin and their derivatives, Methamphetamine and their derivatives, Ecstasy, Fentanyl and the analogs of Fentanyl. I and canine "Dean" maintain our annual certification through the Customs and Border Protection regulations. This certification is a comprehensive test designed to measure the ability of the dog and the handler in searching for and indicating the presence of controlled substances. This certification consists of searches administered in different environments with a variety of distractions and is designed to duplicate actual field conditions which may be encountered by the canine team. Canine "Dean" must pass 16 of the 17 controlled finds (15 active and 2 blinds) which equates to a 94% or greater accuracy.

I and canine "Dean" participate in maintenance training, which is no less than 16 hours per month. Ongoing training includes:

- Training in all areas of interdiction, such as vehicles, boats, schools, currency, parcels and mail, airports, bus and bus depots, storage units, residences, motels, apartments, etc.
- Training on various quantities of controlled substances, ranging from grams to pounds.
- Training on controlled negative (blank) testing, in which all objects or locations have no contraband present
- Conflict training, which proofs the dog and prevents him from alerting to common items associated with controlled substances, such as plastic bags, etc. and/or reward objects or toys

CBP maintains training records of the on-going training. All training records and certifications are constantly maintained and up to date and current. The dogs are given a rating at each training day that is maintained for 90 days.

The ratings for each training day are based on unsatisfactory, poor, fair, average, good or excellent performance. Canine "Dean" has maintained a rating of "Good" over the last 30 days. Canine "Dean" is trained with a passive response/indication (sit, lock out or lay down), with various objects (toys) being his reward. Canine "Dean's" last certification was on June 2, 2021.

On June 23, 2021, at approximately 10:30 AM, CBPO K-9 Chavez and K-9 Dean searched five packages that were placed in a row in a large room. The parcel line-up contained four control packages and one suspect package, which was placed in position #3. Upon approaching the suspect parcel, K-9 "Dean" stopped and took several deep breaths and sat. When "Dean" sits, it's an indication he can smell the odor of narcotics coming from the parcel. The particulars of the parcel are as follows:

Tracking #:	EJ 849 451 002 US
Sender:	Kong's Body Shop 2212 Cheshire Br Rd Atl, GA 30324
Recipient:	T. Tran 5408 NE 3 <sup>rd</sup> Place Renton, WA 98059

I have been a Canine Officer since April 22, 1991.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed: 

Date: 6/23/21

Adam J. Chavez  
Canine Enforcement Officer  
U.S. Customs and Border Protection  
Seattle, WA  
(206)396-1817 (cell)  
adam.j.chavez@cbp.dhs.gov